

REMARKS

Claims 1-39 are pending. By this Amendment, the specification is amended; claims 1 and 27 are amended; and claims 34-39 are added. Reconsideration in view of the amendments and following remarks is respectfully requested.

Applicants appreciate the courtesies extended by Examiner Stewart to Applicants' representative during the telephone interview conducted October 28, 2004. The points discussed during the interview are incorporated into the remarks below and constitute Applicants' record of the interview.

Claims 1-4, 12, 13, 17, 23, 25, 27, 28, 30, 31 and 33 were rejected under 35 U.S.C. §102(b) over Willard (U.S. Patent 6,221,060). The rejection is respectfully traversed.

Claim 1 recites a stent including a body with a predetermined length defining a longitudinal axis and two ends. A plurality of smooth-surfaced wings are angularly spaced around the body and extend radially outwardly from the body and extend longitudinally along substantially the entire length thereof. At least one securement barb is disposed on one end of the body, the securement barb has a barb root and a barb tip. The barb root secures the securement body to the body and the securement barb extends generally radially outward from the body in a cantilevered fashion from the barb root to the barb tip. This securement barb is angled with the barb root being located near to the end of the body and the barb tip.

Willard discloses a urethral device 200 in the form of a tubular-shaped body that is insertable into a patient's urethra. The device 200 includes foldable or highly bendable anchors 220 that allow for a dynamic response to increased pressure placed on the device 200 by either the urethra, the bladder neck, the bladder, or fluids in the urethral or the bladder. Each of the anchors 220 has an angulated recess 221 that is flexible in response to either urethra stresses or dynamic forces on the device 200. The anchors 220 are formed of partial helical ridges or protrusions. (See column 6, lines 48-column 7, line 1.) The device 200 also includes sealer rings 226 that assist in preventing the flow of urine around the outside of the device 200. The sealer rings 226 extend around the full circumference of the device 200.

As discussed and agreed to during the interview, the sealer rings 226 of Willard do not extend substantially the entire length of the device 200 of Willard. Accordingly, it is respectfully submitted that Willard cannot anticipate or render obvious claim 1

It is also respectfully submitted that Willard does not disclose or suggest at least one securement barb disposed one end of the body and extending generally radially outwardly

from the body in cantilevered fashion from barb root to a barb tip, as recited in claim 1. The anchors 220 of Willard are disclosed as helical ridges or protrusions and are clearly connected along their entire length to the exterior surface 19 of the device 200, not in a cantilevered fashion.

Claims 2-24, 12, 13, 17, 23, 25 and 34-36 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

Claim 27 recites a stent including a body with a predetermined length defining a longitudinal axis and two ends. A conical tip portion is disposed at each end of the body. A lumen is defined within the body and extends through the body between the two ends thereof and is constructed and arranged to accommodate a guide wire therein. A plurality of smooth-surfaced wings are angularly spaced around the body and extend radially outward from the body and extend longitudinally along substantially the entire length thereof. A securement barb is disposed adjacent to the each end of the body and extends from each of the conical tip portions. Each securement tap has a barb root securing the securement barb to the body and a barb tip. The securement barbs each tapered in width from the barb root to the barb tip such that each securement barb has a generally teardrop shape. Each securement barb extends generally radially outward from the body in cantilevered fashion from the barb root to the barb tip. Each securement barb is disposed at an angle of less than or equal to about 90° relative to the longitudinally axis of the body. The securement barbs are angled in opposite directions with respect to each other and the barb roots are located nearer to the ends of the body than the barb tips.

As discussed above, it was agreed during the interview that Willard does not disclose or suggest a plurality of smooth-surfaced wings angularly spaced around the body and extending radially outward from the body and extending along substantially the entire length thereof. Accordingly, Willard cannot anticipate or render obvious claim 27.

It is also respectfully submitted that the anchors 220 of Willard are not securement barbs, as recited in claim 27. Claim 27 clearly recites that the securement barbs are angled in opposite direction with respect to each other. The anchors 220A and 220B, as shown in Figures 6a and 6b of Willard are clearly angled in the same direction, not opposite directions with respect to each other.

It is even further respectfully submitted that the anchors 220 do not extend generally radially outward from the device 200 in a cantilevered fashion, as recited in claim 27. The

anchors are helical ridges or protrusions and are connected to the exterior surface of the device 200 along the entire length thereof.

Claims 28, 30, 31, 33 and 37-39 recite additional features of the invention and are allowable from the same reasons discussed above with respect to claim 27 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection of claims 1-4, 12, 13, 17, 23, 25, 27, 28, 30, 31 and 33 over Willard are respectfully requested.

Claims 1-4, 7-10, 12-15, 17, 18, 21, 22, 24, 27, 28, 30 and 31 were rejected under 35 U.S.C. §102(e) over Chobotov et al. (U.S. Patent Application Publication 2003/0120331 A1). The rejection is respectfully traversed.

Chobotov et al. disclose an endovascular graft 50 having a proximal end 51 and distal end 52. The graft 50 comprises a tubular structure or graft body section 53 having a proximal end 54 and distal end 55. The graft 50 also includes proximal and distal inflatable cuffs 56 and 57 and an inflatable channel 58 in communication with the proximal and distal cuffs 56 and 57.

The graft 50 also includes a connector member 60 connecting a proximal stent 70 to the graft 50 and a distal connector member 124 connecting a distal stent 128 to the graft 50. The proximal stent 70 includes struts 71, any one of which may further comprise one or more barbs 74. Tuck pads 86 near each barb serve to shield the barbs 74 on the graft 50 is in a reduced diameter delivery configuration. Struts 71 or tuck paths 86 may also contain an optional barb tuck slot 85 to help retain the barbs 74 while the graft 50, and consequently proximal stent 70, is in a delivery configuration. When deployed in a patient vessel, the proximal stent 70 is expended, forcing the barbs 74 at least partially into the vessel wall to emplacement the graft 50 therein and resist fluid flow forces that may otherwise dislodge the graft 50.

It is respectfully submitted that Chobotov et al. disclose a graft. A graft is not a stent.

Chobotov et al. also do not disclose a stent including a body with a predetermined length defining a longitudinal axis, and two ends and a plurality of smooth-surfaced wings angularly spaced around the body and extending radially outward from the body and extending along the substantially the entire length thereof, as recited in claim 1. Chobotov et al. disclose a graft 50 having stents 70 and 128 placed at opposite ends of the graft 50. The graft 50 is not a stent. Even assuming the graft 50 could be reasonably interpreted as stent, which Applicants are not conceding, as discussed and agreed to during the interview the graft

50 does not include a plurality of smooth-surfaced wings extending radially outward from the graft and extending longitudinally along substantially the entire length thereof. The graft 50 of Chobotov et al. includes a plurality of inflatable circumferential channels or ribs 58 and a single inflatable longitudinally channel (not labelled in Fig. 2) in communication with the circumferential channels or ribs.

Chobotov et al. also do not disclose or suggest at least one securement barb extending generally radially outward from the body in a cantilevered fashion from a barb root to a barb tip, the securement barb being angled with the barb root being located nearer to the end of the body than the barb tip. As discussed above, the barb 74 of Chobotov et al. is retained in a tucked position by the pads 86 and is not angled relative to a longitudinal axis as recited in claim 1.

Claims 2-4, 7-10, 12-15, 17, 18, 21, 22, 24, and 34-36 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 1 and for the additional features recited therein.

Chobotov et al. do not disclose or suggest a stent including a body with predetermined length defining a longitudinal axis and two ends, with a conical tip portion being disposed at each end of the body, as recited in claim 27. As discussed above, Chobotov et al. disclose a graft 50 having two stents 70 and 128 disposed at opposite ends thereof. Neither stent 70 or 128 is conical.

As also discussed above, Chobotov et al. does not disclose or suggest a plurality of smooth-surfaced wings extending radially outward from a body and extending longitudinally along substantially the entire length thereof, as recited in claim 27. The inflatable channels 58 of Chobotov et al. do not extend radially outward from the graft and do not extend longitudinally along substantially the entire length thereof.

Chobotov et al. also do not disclose or suggest a securement barb having a generally teardrop shape and extending generally radially outwardly from the body in cantilevered fashion from a barb root to a barb tip, as recited in claim 27. As discussed above, the barb 74 are tucked by the pads 86 to shield the barbs 74 when the graft 50 is its reduced diameter delivery configuration. The barb 74 are not an angle relative to a longitudinal axis of the stent 70.

Claims 28, 30, 31 and 37-39 recite additional features of the invention and are allowable for the same reasons discussed above with respect to claim 27 and for the additional features recited therein.

Reconsideration and withdrawal of the rejection of claims 1-4, 7-10, 12-15, 17, 18, 21, 22, 24, 27, 28, 30 and 31 over Chobotov et al. are respectfully requested.

Claims 5, 6, and 29 were rejected under 35 U.S.C. §103(a) over Chobotov et al. The rejection is respectfully traversed.

With respect to the Examiner's determination that it would have been obvious to one of ordinary skill in the art to have the barbs of Chobotov et al. at an angle between 60° and 90°, it is respectfully submitted that there is no recognition in the prior art that the angle of the barb relative to the longitudinal axis is a result affective variable. Accordingly, the Examiner's determination that the discovery of optimum or workable ranges of the angle of the barb with respect to the longitudinal axis would have been obvious is incorrect. See MPEP §2144.05 II.B

Furthermore, as discussed above, Chobotov et al. tuck the barbs 74 into a delivery configuration and one of ordinary skill would not have been motivated to dispose the barbs at an angle relative to the longitudinal axis, including an angle between 60° and 90°, as such a modification would render the graft of Chobotov et al. unsuitable for delivery.

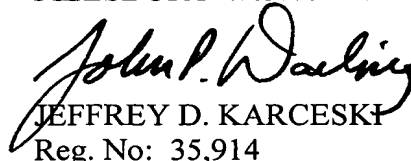
Reconsideration and withdrawal of the rejection of claim 5, 6 and 29 over Chobotov et al. are respectfully requested.

Applicants appreciate the indication that claims 11, 16, 19, 20, 26 and 32 define patentable subject matter. However, in view of the above amendments and remarks, Applicants respectfully submit that all the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed.

Respectfully submitted,

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